

Appl. No. 10/602,495  
Preliminary Amendment submitted with Response to Restriction dated October 21, 2005  
In Reply To Office Action dated September 30, 2005  
EQ 110645238 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/602,495  
Attorney Docket No.: M5015.P001  
Applicant: Darrell James Shelton  
Filed : June 23, 2003  
TC/A.U. : 3751  
Examiner : Huynh, Khoa D  
Confirmation No. : 2225

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT**

Sir:

In response to the Restriction Requirement of September 30, 2005, and the subsequent telephonic interviews of October 18, 2005, October 19, 2005 and email correspondence of October 20, 2005, Applicant submits this preliminary amendment and amends the above-identified application as follows:

**Response to Election/Restriction**

In accordance with the telephonic interviews conducted on October 18, 2005, October 19, 2005 and email communications of October 20, 2005, Applicant amends claims 46 and 60 to facilitate removal of all restriction requirements including the restriction requirement issued on September 30,

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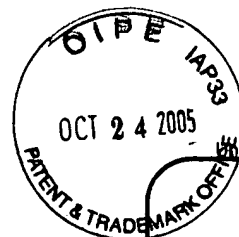
2005. Accordingly, Applicant requests that claims 51-53, 60-67, 75-113 be entered for examination as agreed to by Examiner Huynh during the telephonic interviews referenced above.

#### **Election of Species**

Applicant elects Species IV for examination. All pending claims, i.e., 45-53, 60-67, and 75-113 are readable thereon as agreed during the telephonic interviews of October 18, 2005 October 19, 2005, and the email communication of October 20, 2005.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 15 of this paper.



10-26-05

IFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 33

Application Number	10/602,495
Filing Date	June 23, 2003
First Named Inventor	Darrell James Shelton
Art Unit	3751
Examiner Name	Huynh, Khoa D
Attorney Docket Number	M5015.P001

**ENCLOSURES (Check all that apply)**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>1.) Examiner Interview Summary (14 pages)<br>2.) Return Receipt Post Card (1 page)<br>3.) Certificate of mailing (1 page) |
|---|--|--|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	PELOQUIN, PLLC		
Signature	<i>Mark S. Peloquin, Esq.</i>		
Printed name	Mark S. Peloquin, Esq.		
Date	October 24, 2005	Reg. No.	50,787

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Mark S. Peloquin, Esq.</i>		
Typed or printed name	Mark S. Peloquin, Esq.	Date	October 24, 2005

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